

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, June 28, 2006 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair
Councilmember Felicia A. Moore
Councilmember Kwanza Hall
Councilmember Jim Maddox
Councilmember H. Lamar Willis
Councilmember Clair Muller

Janice D. Davis, CFO
Departmental Staff

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Absent: Councilmember Cleta Winslow

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AP

Others

Present: Councilmember C.T. Martin
Councilmember Mary Norwood

MUNICIPAL CLERK

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Kwanza Hall, Jim Maddox, H. Lamar Willis and Clair Muller. Other Departmental staff was present as well.

The Agenda was Adopted as printed with two new Resolutions. Minutes of the June 28, 2006 Regular Finance/Executive Committee meeting were also adopted.

Continuing, Councilmember Moore stated that she is concerned with bringing in papers at the Finance/Executive Committee meeting. Do they have to be voted on today? Chairperson Shook responded yes. Councilmember Moore stated that she objects to the process of bringing papers in at the last minute to be voted on the same day. Chairperson Shook then offered a motion to **bring the two Resolutions forward, 4 Yeas, 1 Nay.**

TO AUTHORIZE THE MAYOR AND THE CHIEF FINANCIAL OFFICER TO SUPERVISE THE EXPENDITURE OF FUNDS

06-O-1362 (1) An Ordinance by Finance/Executive Committee Authorizing the Mayor and the Chief Financial Officer to supervise the expenditure of funds and assure the Close Out of Fiscal Year 2005; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO WRITE-OFF (\$3,259,762.21)

06-O-1363 (2) An Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to write-off three million two hundred fifty nine thousand seven hundred sixty two dollars and twenty one cents (\$3,259,762.21) on behalf of the Department of Watershed Management, Water and Wastewater Accounts Receivable, for such Accounts rendered uncollectible; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$55,000.00)

06-O-1364 (3) An Ordinance by Finance/Executive Committee Authorizing the transfer of Appropriations in the amount of fifty five thousand dollars and no cents (\$55,000.00) from Fund, Account, and

Center Number 1C28 (General Government Capital Outlay Fund) 792001 (Reserved Designated) M11X04519985 (Developmental Impact Fees-Transportation) to Fund, Account, and Center Numbers 1C28 (General Government Capital Outlay Fund) 574001 (Facilities Other Than Buildings) M23F04259985 (Preliminary Design and Construction Costs Hermi's Bridge Project) (\$51,667.00) and 1C28 (General Government Capital Outlay Fund) 524001 (Facilities Other Than Buildings) M23F04259985 (Consultant/Professional Services) (\$3,333.00) for the purpose of participating in the Hermi's Bridge Restoration Project; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA

06-O-1336 (1)

An Ordinance by Councilmembers Howard Shook, Clair Muller and Ceasar C. Mitchell to Amend of the Charter of the City of Atlanta, Georgia, Adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1, et seq., as Amended, so as to Amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469, et seq., by Amending Article 6, Chapter 1, Section 6-101 (f) (g) (h) to provide the City with the discretion to charge Frontage Fees; to repeal conflicting Ordinances; and for other purposes. **(2nd Read, 2nd Adoption, 6/14/06)**

FILE

Chairperson Shook stated that Councilmember Muller wants this paper Filed. He then offered a motion to **File, 4 Yeas**. The Law Department states that a new paper needs to be introduced.

TO AMEND CHAPTER 2, ARTICLE X, DIVISION 4, SECTION 2-1188 (C) OF THE CITY OF ATLANTA CODE OF ORDINANCES

06-O-1338 (2)

An Ordinance by Finance/Executive Committee to Amend Chapter 2, Article X, Division 4, Section 2-1188 (C) of the City of Atlanta Code of Ordinances, to change the means by which public notice of contract opportunities is given, by providing for online solicitations for Procurement Services which are not governed by State Law, and repealing the requirement that solicitations be advertised in a newspaper of general circulation; and for other purposes.

HELD

Ms. Cathy Martin: Deputy Chief Procurement Officer addressed the Committee by stating that this paper changes our public notice advertisement. We have previously advertised in the Atlanta Journal and Constitution, which is in the Code, but it has become very expensive to continue. The vast majority in the community have recognized that we are advertising on the Internet, which we have been doing for the past two years. **HB 1029** states that we have to advertise our construction projects at least two time at a minimum. However, it does not permit us to advertise on the Internet. The Code states that we should put the advertisement in the newspaper. In 2003, the advertisement was in an excess of \$141,000. In 2004, it was in an excess of \$331,000 and in 2005 it was in an excess of \$307,000. As to this day we have spent almost \$100,000 for this year. We put it in as many newspapers as we could. Councilmember Maddox asked out of the \$1 million dollars, what percentage is for

minority vendors. Ms. Martin responded that we advertise in the Atlanta Daily World and the price is much less than the Atlanta Journal and Constitution. For four years the cost at the Atlanta Daily World is over \$41,000. Chairperson Shook stated that the vendors have already become accustomed to the website. Councilmember Willis stated there is a possibility that you still need to run newspaper ads. Ms. Martin responded that the Internet is the primary source, but the Code states that we have to advertise in the newspaper. Councilmember Hall asked if there are automatic updates to advertise. Ms. Martin responded that you would have to check the website everyday. At any given time a contract can come up for bid. When you register through the process, we will send a letter to notify you that the bid is available. We don't go back and clarify it. Councilmember Hall stated that every vendor doesn't know to check the web everyday. We need to develop an e-mail list to send out. Ms. Martin responded that we encourage everyone to make www.atlantaga.gov their webpage. Councilmember Hall asked if you could come back with a plan in three months. Ms. Martin responded that we have 12,000 vendors registered in our database. As long as they keep their information updated, they will be informed. When we move to Oracle we will have another way to inform vendors. Oracle will take place the first quarter of next year. Councilmember Hall stated that we have not looked at the real next step. Councilmember Willis stated that if we are going to take that one step, we need to take it all the way. He wants to offer a condition for scheduling an e-mail system. It is easier than doing 12,000 mailings. Ms. Martin stated that this is not about notifying, but about advertising. We will still continue to notify vendors the way we are currently doing. Councilmember Willis stated that the postage is high as well. Ms. Martin responded that you can't get to the Internet unless you have an e-mail address. There are a lot of small businesses that don't have the Internet. Councilmember Willis stated that just about every business should have an e-mail address. Ms. Martin responded that she was referring to the sub-contractors. Councilmember Willis stated that he can't believe that. Ms. Martin reiterated that when they register on the Internet, they will get the notification. Councilmember Willis stated that we need a schedule of when we will get the e-mail notification for vendors. Ms. Martin responded that this is for all user agencies that advertise. Councilmember Moore offered a substitute motion to Hold it. It is not hard to believe that many businesses have not gotten the Internet. It is a greater number of people than we realize. Some of us are not literate with the computer. She requested some data or information of how the vendors find out about the notification. We know that we advertise in the newspapers, but we are not ready to do this. It needs to be discussed further.

Mr. Greg Pridgeon: Chief of Staff of the Mayor's Office addressed the Committee by stating that we are in agreement with you. Chairperson Shook stated that we will Hold this paper.

TO CORRECT ORDINANCE NUMBER 05-O-1957

06-O-1447 (3) An Ordinance by Councilmembers Mary Norwood and Ceasar C. Mitchell to Correct Ordinance Number 05-O-1957 adopted by the Atlanta City Council on November 7, 2005 and approved by the Mayor on November 14, 2005, to identify the correct Fund and Center Numbers; and for other purposes.

FAVORABLE

Councilmember Norwood stated that this is the contract that was signed last year. In renewing the contract this year, it was found that the Fund, Account and Center Numbers were incorrect and this paper is a correction. Councilmember Hall offered a motion to **Approve, 5 Yeas.**

TO AMEND THE 2006 (SOLID WASTE SERVICES REVENUE FUND) BUDGET

06-O-1451 (4) An Ordinance by Councilmembers Mary Norwood and Ceasar C. Mitchell **as Substituted by Finance/Executive Committee (1), 6/28/06** Amending the 2006 (Solid Waste Services Revenue Fund) Budget by Adding To Anticipations and Appropriations the amount of \$86,000.00 from the State of Georgia Department of Transportation for the purpose of funding litter removal and other services related to road maintenance within the City Limits in furtherance of the City's Partnership with the Department of Transportation to provide employment opportunities for homeless individuals; and for other purposes. **(Finance/Executive Committee Substitute adds the amount of \$86,000.00, 6/28/06)**

HELD AND SUBSTITUTED

Councilmember Norwood stated that the Substitute adds the amount of \$86,000.00. The Department of Public Works wants the paper Held. The Department of Transportation (DOT) has offered the money and we are finalizing the scope of work. Chairperson Shook stated that the paper will be Held and Substituted.

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF PLANNING (CITY), TO EXECUTE A MEMORANDUM OF AGREEMENT WITH COBB COUNTY AND THE PATH FOUNDATION, INC.

06-R-1365 (1) A Resolution by Finance/Executive Committee Authorizing the Mayor, on behalf of the City of Atlanta, Department of Planning and Community Development, Bureau of Planning (City), to execute a Memorandum of Agreement with Cobb County and the Path Foundation, Inc. for the purpose of participating in the Hermi's Bridge Restoration Project (Project) wherein the City's monetary contribution to the project shall be in an amount not to exceed fifty five thousand dollars and no cents (\$55,000.00); and for other purposes.

FAVORABLE

Mr. James Shelby: Deputy Commissioner of the Department of Planning and Community Development addressed the Committee by stating that this Resolution allows us to participate in the restoration of Hermi's Bridge. It was built in 1903. It is an historical building, but it is not on the national register. Over the years it has begun to deteriorate. ARC funded the bridge for \$300,000. Fulton County asked the City and Cobb County to take over the project and provide a match. The match is 80% and 20%, which makes our portion \$55,000, Path Foundation is \$55,000 and Cobb County is \$55,000. The bridge is at Paces Ferry. Councilmember Hall offered a motion to **Approve, 5 Years.**

TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH DELL MARKETING L.P.

06-R-1366 (2) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute an Agreement with Dell Marketing L.P. for the purchase of eighty two (82) Dell Optiplex GX620 Computers, seventeen (17) Dell Latitude D810-Pentium M770 Computers and thirteen (13) Dell Latitude D810 Computers, utilize the State of Georgia Contract #A63307, Contract Code #N39913715, on behalf of the Department of Watershed Management, in an

amount not to exceed two hundred fifteen thousand three hundred seventy four dollars and twenty two cents (\$215,374.22); all contracted work to be Charged To and Paid From Fund, Account and Center Number 2J01 (Water & Wastewater Revenue Fund) 521105 (Supplies, Non-Consumable) Q71201 Technical Support); and for other purposes.

FAVORABLE

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this is to purchase 112 computers to be used by the Information Technology staff. The majority of the computers will be used by staff from the 14th Street Station. This is a State Contract. All of the computers were authorized in the Budget. Councilmember Hall asked if the computers will be used by field workers. If so, why not use hand held devices. Ms. Pierce responded that we are looking at those. It will have to be timed with the implementation of our personal information system. We have had discussions and we are looking for hand held devices for all of the inspectors. We are not looking for hand held devices for this group. Councilmember Hall offered a motion to **Approve, 6 Yeas**. Chairperson Shook asked Mr. Pridgeon about how many computers the City owns or bought. Mr. Pridgeon responded that the Chief Operating Officer in conjunction with the Department of Human Resources staff will provide the requested information soon. They are working on the information and he will check with them to see when it will be available.

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE GEORGIA ENVIRONMENTAL FACILITIES AUTHORITY

06-R-1376 (3)

A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Agreement with the Georgia Environmental Facilities Authority for the purpose of funding certain Wastewater and Drinking Water Capital Improvements in an amount not to exceed fifty million dollars and no cents (\$50,000,000.00); Authorizing the Mayor to execute an Electronic Debit Transaction Authorization with Georgia Environmental Facilities Authority to facilitate repayment of said loans; and for other purposes. **(Finance/Executive Committee Substitute, Conditional passage is to provide a report that states if payments were made on time and the needs and issues list as well as the report on the 1% SPLOST, 6/28/06)**

FAVORABLE ON SUBSTITUTE ON CONDITION

Mr. Marc Goncher: Assistant City Attorney addressed the Committee by stating that this paper authorizes the second year of a ten year Agreement with Georgia Environmental Facilities Authority (GEFA) to fund the Clean Water Capital Improvement Program. This is year two for the contract. It will loan \$50 million dollars to fund the Capital Improvements projects. He stated that \$19 million dollars will be a loan from GEFA and \$31 million dollars will be from the State Revolving Loan. He is representing the City at the monthly oversight Taskforce meetings. Councilmember Hall asked if we are in compliance with the Agreements with GEFA. Assistant City Attorney Goncher responded that as far as he knows. The Law Department has responded to that question previously with GEFA. Some of them are on the consent date of when the contract was executed. The City disagreed with GEFA regarding one of the projects. Councilmember Moore asked how were the issues communicated. Assistant City Attorney Goncher responded that they keep a list of needs and issues and it becomes a part of their Agenda. It is in a spreadsheet. Councilmember Moore asked if the City has access to it. Assistant City Attorney Goncher responded he believes they do. Councilmember Moore asked for a copy of what they have initiated. Have all of the issues been addressed? Assistant City Attorney Goncher responded that

he believes they have. There is one product that will not be funded in 2005. We will spread the funds from that project over the remaining projects. Councilmember Moore wants to know the benefit of what was going on. She stated that she will get with Councilmember Mitchell regarding the Amendments. Are we up to date regarding the payments? She wants a report that summarizes that. Councilmember Hall agreed, maybe we can get a report quarterly or every six months. Councilmember Moore wants to know if there are outstanding issues of whether or not they are paid on time. She responded that she understands that GEFA commented that the City is generally paying back the loan in a timely manner. She asked CFO Davis to give a report from when the Sales Tax report was started in order to understand the revenues from the 1% Sales Tax. She then asked what is Exhibit A. Assistant City Attorney Goncher responded that it is the template that GEFA uses. Councilmember Moore asked if there is a timing issue. Assistant City Attorney Goncher responded as soon as possible. GEFA Board has committed funding to the City of Atlanta and there are drawdowns. It was done in late 2005. We have been in discussions with GEFA. Councilmember Moore reiterated that we need some sort of report. Assistant City Attorney Goncher responded that the communication was from a letter in January 2006. Currently, we have resolved the issue and showed GEFA that the City can properly advertise. GEFA has not been satisfied with the proof that we have given them and decided not to fund that piece. We spread the funds with the other five projects. The remaining \$31 million dollars from the State's Revolving Funds will fund the six remaining projects. The one that was dropped is the West Area CSO. Councilmember Moore asked how will we fund it if it is not funded by GEFA. Assistant City Attorney Goncher responded that GEFA only gives a small percentage and the rest is from the SPLOST. Councilmember Moore asked if it was an oversight by the Taskforce regarding the issues. Assistant City Attorney Goncher responded yes. Councilmember Moore stated that she has problems with supporting it on the Council floor with that information being absent. Assistant City Attorney Goncher asked if her conditions were payments being made on time and the needs and issues list. Councilmember Moore stated that Departments should give periodical updates. Chairperson Shook asked for quarterly reports on all GEFA projects. Councilmember Moore asked what are we paying. Councilmember Maddox accepted Councilmember Moore's Condition as a friendly Amendment. Councilmember Martin asked if we are still taking the position of separating money coming from people commuting from other jurisdictions other than the people who stay here in the City of Atlanta. It was stated that because the State takes the piece off of the top there was no way to separate the funds. CFO Davis responded that we don't have a delineation of the source by individual. Councilmember Martin asked if the State was asked for the database. CFO Davis responded that we can get the information where the Tax was collected, but not the zip code. Councilmember Martin stated that 40% should come from the commuters, but nobody knew how to make the separation. The citizens are getting misleads to why we can't give the Firefighters their raise. Councilmember Maddox offered a motion to **Approve on Substitute on Condition, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH OFFICE IMAGES, INC.

06-R-1377 (4)

A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Agreement with Office Images, Inc., utilizing the State of Georgia Contracts #000008567 (Haworth) and #0000195717 (Intellaspaces), for the purchase of office furniture on behalf of the Department of Watershed Management in an amount not to exceed three hundred forty four thousand three hundred twenty four dollars and six cents (\$344,324.06); all contracted work shall be Charged To Fund, Account and Center Number 2J21 (Water & Wastewater Renewal & Extension Fund) 521105 (Supplies, Non-Consumable) Q71C04019999 (Call Center Services Project); and for other purposes. **(Finance/Executive Committee Substitute changes Account Number 721105 to 521105, 6/28/06)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Pierce stated that this request is for furniture for the new Call Center. We are implementing a new information system. It is for five offices, breakroom, two IT staffers and two conference rooms. It is for shipment and installation. At the last meeting we approved the build out. This is the final piece. Councilmember Moore asked if the Department of Watershed Management is spreading out to different spaces because of more people. The Department of Watershed Management is becoming humongous with staffers. Is the building you're speaking of the new area for the Public Safety building? Ms. Pierce responded that it is the new Court building. Councilmember Moore asked how many people will be moving. Ms. Pierce responded that we are talking about moving 60 people. Councilmember Moore requested information regarding the expansion of the Department of Watershed Management from 2002 to today. Ms. Pierce stated that the space we had requested was no longer available. Councilmember Moore stated that if you need additional space, too many people are being hired. Ms. Pierce responded that we put in Legislation last year for more space. Councilmember Moore asked since 2002 how much have we spent for moving expenses. Ms. Pierce responded that we only moved twice. Councilmember Moore asked for the cost. We have a number of vacant positions. Ms. Pierce responded that we are moving nearly 100 people to Garnett Street and moving employees from Inglewood and 14th Street. We still have over 200 vacant positions. They are not only administrative positions. The positions are funded and they are vacant. Councilmember Moore asked what happens to the money that is not spent, but funded for positions. CFO Davis responded that it goes back into the Cash Reserves. It gets rolled into the Reserves once we Close Out. There was \$16 million dollars from excess revenues. It does not happen at the end of the Budget cycle. We found out what was available for 2005 as we were approaching 2007. When the books were closed, we found the \$16 million dollars. Councilmember Moore stated that it is still Unallocated money. The Administration should not make the decision of what to do with the unspent money. We should have had a line item breakdown for the \$16 million dollars. CFO Davis responded that it is being prepared. Councilmember Willis stated that we began hearing the amount of money spent on certain things. We authorized the positions, but you knew that you did not have the space when we did. It will cost to house the people. It is ingenious to say that we funded certain positions and not have the space for them. It should not be piece milled. You get a Personnel Paper for a certain amount, etc. You should ask us to wait until everything is all together before you bring forth the Legislation. We should have had that information first. Ms. Pierce responded that the \$3.9 million dollars is the cost that was an Ordinance from the last meeting. The majority of the positions are budgeted for and filled. Councilmember Willis stated when the Personnel Paper comes to us, we need to know the cost for everything. We will soon have the Police and Fire Departments to move. Councilmember Maddox asked if any minority or female firms are involved in the process.

Mr. Dave Chapman: Deputy Procurement Officer addressed the Committee by stating that this is through the State Contract. Councilmember Maddox stated that we need to include minority contractors. We want to save the taxpayers money, but we don't want to forget about the City's policy. Mr. Chapman responded that the State is limited to certain commodities. As to doing a competitive bid, we will use a Cooperative Agreement. Councilmember Shook asked for the documentation regarding savings. Exhibit A shows that it is about 20% savings. Mr. Chapman responded that Exhibit A is cost comparisons, Exhibits B and C are the cost for computer purchases. Councilmember Maddox stated that his concern is that he does not know the contractor the State uses. It is barely 1% minority. There is no minority participation in this contract. Chairperson Shook asked for a detailed analysis of how the State's process works as well as the requirement for small businesses. Councilmember Martin stated that when we renegotiate the Agreement we could put it in the stipulation. He then

asked about GASB 45. CFO Davis responded that we have just named the GASB 45 actuary to come up with the number. She is ready to do a workshop, but she is waiting on the numbers. She believes it may be a big number. The actuary is saying that it will be ready in about eight weeks. Councilmember Martin stated that a lot of people are moving out of the 14th Street Building. What will happen to that building? Ms. Pierce responded that it is being used by existing employees. It will be used by filled positions for the Bureau of Drinking Water. Councilmember Martin stated that he is concerned with the missed calls of the weekend and emergency crews. You don't have enough crews to respond to all of the emergency calls. Much of the space can be used for that operation. Ms. Pierce responded that the group that answers (404) 658-6500 runs 8:00 a.m. to 8:00 p.m. and they are located in Inglewood. We will soon run the operation 24 hours. Councilmember Maddox offered a motion to **Approve on Substitute, 6 Yeas**. Councilmember Willis stated that we need to educate people on who to call. Unless we provide education, it will not take the burden off of our staff. Chairperson Shook asked what will the strategy be? Ms. Pierce responded that the number will remain the same. It is the number on the water bills. Councilmember Moore stated that the issue is not the Call Center. Her constituents call her office all of the time instead of the Department of Watershed Management. What are the resources other than the Call Center? Water is running all of the time in her District. Chairperson Shook asked what will you do about the water running down our streets? Ms. Pierce responded that it is contributed to our old system. We will be installing new meters. When we started this we said that it will take around three years to complete. Chairperson Shook stated that two summers ago we addressed this. Ms. Pierce responded that we are putting a team like that together again. We will pull staff from other jobs to go out and fix a large amount of meters then they will go back to their original jobs. It will give us some time until we get to the Citywide Replacement Program. Councilmember Moore stated that it is not all meters because there are holes in the road as well. We spent a lot of money to resurface the streets while water is running down the street. She calls it in as soon as she sees it. We know when the weather changes, there will be a spike in the meters. Instead of hiring other people, we need to be hiring some to fix the meter problems. Ms. Pierce responded that many of the vacant positions will be Filled to address those issues.

Mr. Robert Hunter: Commissioner of the Department of Watershed Management addressed the Committee by stating that the contract is going through signature now for replacing the aging meters. We will put in an automatic reading system to replace the human error of reading the meters. We are operating six crews seven days a week. The work orders have come down from a few thousands to less than one thousand. We are currently going through a water ban. We have made tremendous progress for the back orders. Chairperson Shook asked how long it will take you to respond when you are fully staffed. Commissioner Hunter responded that our goal is that someone will fix it within a day. Chairperson Shook asked what would you want the time period to be. Commissioner Hunter responded 24 hours to 36 hours. Councilmember Maddox stated that when there is a leak, could you anticipate a normal bill. Commissioner Hunter responded that if it is on the City's side, it does not go through the meter. Councilmember Maddox stated that when a leak is reported, do you justify the customer's bill. Commissioner Hunter responded that we will repair the leak and look at a few months of readings to determine the bill. It is done automatically. Councilmember Moore stated that she wants more explanations regarding the Reserves. Chairperson Shook agreed and he wants information on the Worker's Comp Program as well. Councilmember Moore wants it as a Discussion Item on the next Agenda.

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE AGREEMENT WITH THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION

06-R-1450 (5)

A Resolution by Councilmembers Mary Norwood and Ceasar C. Mitchell **as Substituted by Finance/Executive Committee (1), 6/28/06** Authorizing the Mayor or her Designee to enter into an

Appropriate Agreement with the State of Georgia Department of Transportation to accept funding in the amount of \$86,000.00 for the maintenance of State Highways within the City Limits in furtherance of the City's partnership with the Department of Transportation to provide employment opportunities to homeless individuals; and for other purposes. **(Finance/Executive Committee Substitute adds the amount of \$86,000.00, 6/28/06)**

HELD AND SUBSTITUTED

Councilmember Norwood stated that we have a Substitute that adds the amount of \$86,000.00. The Administration wants this paper Held to identify the scope of work.

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY INVOICES FROM ATC/C.E.R.M INC.

06-R-1455 (6) A Resolution by Finance/Executive Committee to Authorize the Chief Financial Officer to pay invoices from ATC/C.E.R.M. Inc. for work done but for which a Notice To Proceed was not issued by the Bureau of Code Compliance; and for other purposes.

FAVORABLE

Ms. Debra Conner: Deputy Director of Codes Compliance addressed the Committee by stating that the former Director issued a Notice To Proceed without it going through the Department of Procurement. We are trying to get the invoices paid. Councilmember Willis asked if the contractor knew that they needed a Notice To Proceed. Ms. Conner responded that one was issued, but they did not know that it should have come from the Department of Procurement. The company was told to go ahead and do the work. Councilmember Willis offered a motion to **Approve, 6 Yeas**. Councilmember Hall asked who was it? Ms. Conner responded Ms. Yolanda Mack, the former Director.

AN AMENDMENT TO THE CHARTER OF THE CITY OF ATLANTA

06-O-0380 (1) An Ordinance by Finance/Executive Committee an Amendment to the Charter of the City of Atlanta proposed under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1. et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469, et seq., by amending Article 3, Chapter 1, Section 3-104 (14) so as to adjust the limitations upon the Mayor's Procurement authority from \$100,000.00 to \$1,000,000.00; to amend Article 6, Chapter 4, Section 6-402, so as to adjust the limitations on the Mayor's small purchase authority from \$420,000.00 to \$500,000.00 and to adjust the threshold requirement for approval of competitively procured contracts by the City Council of Atlanta from \$100,000.00 to \$1,000,000.00; to repeal conflicting Ordinances; and for other purposes. **(Substituted and Held, 2/15/06)**

HELD

TO AMEND CHAPTER 2, ARTICLE III, SEC. 2-176, CHAPTER 2, ARTICLE V, SECTION 2-252 AND CHAPTER 2 ARTICLE X OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA

06-O-0381 (2) An Ordinance by Finance/Executive Committee to amend Chapter 2, Article III, Sec. 2-176, Chapter 2, Article V, Section 2-252 and Chapter 2 Article X of the Code of Ordinances of the City

of Atlanta, to provide more efficient, effective standards and procedures to better manage the procurement process in the City of Atlanta; to repeal conflicting Ordinances; and for other purposes. **(Substituted and Held, 2/15/06)**

HELD

TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA BY ADDING TO SECTION 2-183

06-O-0787 (3) An Ordinance by Councilmember Caesar C. Mitchell to Amend the Code of the City of Atlanta, Georgia by adding to Section 2-183; Department Heads under supervision and direction of the Mayor; exception responsibilities; and for other purposes. **(Held, 3/29/06)**

HELD

TO AUTHORIZE THE MAYOR OR DESIGNEE TO ENTER INTO RENEWAL AGREEMENT NO. 1 WITH SAMARITAN HOUSE OF ATLANTA, INC. FOR FC-6004007867 CLEANUP PROGRAM

06-R-1327 (4) A **Substitute** Resolution by Councilmember Mary Norwood Authorizing the Mayor or Designee to enter into Renewal Agreement No. 1 with Samaritan House of Atlanta, Inc. for FC-6004007867 Cleanup Program on behalf of the Department of Public Works in a monthly amount not to exceed \$25,000.00 and an annual amount not to exceed (\$300,000.00). All contracted work shall be Charged To and Paid From Fund, Account and Center Number: 1A01 524001 M38101. **(Held, 6/14/06); (Finance/Executive Committee Substitute adds the Fund, Account and Center Number, 6/28/06)**

FAVORABLE ON SUBSTITUTE

Councilmember Norwood stated that the Substitute provides the Fund, Account and Center Number and substitutes the original paper from the City Utilities Committee. This is a continuation from a contract from last year. Councilmember Hall offered a motion to Approve on Substitute.

TO AMEND SECTION 146-26 (B), (C), (D), (E) AND (F) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA

06-O-1335 (5) An Ordinance by Councilmembers Howard Shook, Ceasar C. Mitchell and Clair Muller to Amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy; to provide that the tax rates established herein shall remain fixed each year until Amended or Repealed; to repeal conflicting Laws; and for other purposes. **(Held and Substituted, 6/14/06)**

HELD

ITEMS NOT ON THE AGENDA

TO AUTHORIZE THE CITY ATTORNEY TO EXECUTE AN ENGAGEMENT AGREEMENT WITH THE LAW FIRMS OF GREENBERG TRAURIG, LLP AND RIDDLE & SCHWARTZ, LLC

- 06-R-1457 (1) A Resolution by Finance/Executive Committee Authorizing the City Attorney to execute an Engagement Agreement with the Law Firms of Greenberg Traurig, LLP and Riddle & Schwartz, LLC to serve as Disclosure Counsel to the City of Atlanta in connection with the issuance of Bonds and/or Bond Anticipation Notes for the Beltline Tax Allocation District for an initial two-year term, with an option to renew for an additional two-year term; to authorize the Chief Financial Officer to pay fees in an amount not to exceed \$90,000 plus expenses for legal services rendered pursuant to said Engagement Agreement for the initial issuance of the Bonds and/or Bond Anticipation Notes and Fees in an amount equal to eighty percent (80%) of the Bond Counsel Fee for each future issuance of Bonds and/or Bond Anticipation Notes for the Beltline Tax Allocation District; and for other purposes.

FAVORABLE

Councilmember Hall offered motion to **Approve, 5 Yeas, 1 Nay.**

Ms. Serena Sparks: Deputy City Attorney addressed the Committee by stating that for the selection process we sent out solicitations to all public finance law firms that are located in the City of Atlanta. We solicited proposals from those firms. Most of them that were interested sent in proposals. We went by the amount of experience that they exhibited. We factored in the cost of the services. The team selected is composed of a minority participation firm. The Minority Counsel is a seven member law firm. Councilmember Moore stated that she will sustain because she does not agree with bringing a paper in at the last minute. The Administration says that Council holds up work, but we need adequate time to review it. Chairperson Shook agreed stating that we do need adequate time to review the information.

TO AUTHORIZE THE CITY ATTORNEY TO EXECUTE AN ENGAGEMENT AGREEMENT WITH THE LAW FIRMS OF HUNTON & WILLIAMS LLP AND HOWELL & ASSOCIATES, LLC

- 06-R-1458 (2) A Resolution by Finance/Executive Committee Authorizing the City Attorney to execute an Engagement Agreement with the Law Firms of Hunton & Williams LLP and Howell & Associates, LLC, to serve as Co-Bond Counsel to the City of Atlanta in connection with the issuance of Bonds and/or Bond Anticipation Notes for the Beltline Tax Allocation District for an initial two-year term, with an option to renew for an additional two-year term; to authorize the Chief Financial Officer to pay fees in an amount not to exceed \$240,000 plus expenses for legal services rendered pursuant to said Engagement Agreement; and for other purposes.

FAVORABLE

Deputy City Attorney Sparks stated that Hunter Williams acted as Bond Counsel on the Atlantic Station Project. Councilmember Moore stated that she has the same objection as previously. Councilmember Hall offered a motion to **Approve, 5 Yeas, 1 Nay.** Chairperson Shook asked will the Bond Paper and BANS be ready on July 5th. We are asking for it to be approved at the next following Finance/Executive meeting. He asked

that all information be given to Council as soon as possible and be substantially completed. We want the people who put the paper together to be at the meeting. We want the opportunity to look at the material ahead of time. Deputy City Attorney Sparks responded that she will guarantee complete documents after it is introduced to Council that day. Chairperson Shook asked when was the last time we did a BAN? Deputy City Attorney Sparks responded in 2003.

Continuing, Chairperson Shook gave the public the opportunity to speak:

Mr. James Daws: President of the Firefighters Union addressed the Committee by stating that he wanted to address the Veto for firefighters. He urges the members of this Committee to override this. We have received 6.7% in pay increases. We were 28% behind in the market over a year ago. The AON Company representative, who did the report did not use work hours. We work the standard amount of hours allowed by State Law. The consultant understated the information. The fact is during the debate the City used three States for comparison. We are about 24% behind in compensation. The 3.5% will not bring us up to 98% in the market. The Mayor does not want to move us up faster than the Police. If you use the hourly compensation, it equals out. That does not illustrate the market. We are not paid up to our pay scale. It fails to calculate the pay scale generated. The numbers they provided are now two-years old. This is the prime opportunity for the firefighters. Please exercise your authority and address this issue. Chairperson Shook stated that he is interested in looking at this to come up with a three-year program. We do not need to continue looking at the Budget in a vacuum. We are working to look at setting goals. Councilmember Willis stated that he agrees. It is long overdue. If we have the Fire Department saying that they are behind in the market and it is correct, then the numbers in the Veto Letter is incorrect. If the consultant numbers are wrong, we need a refund from them. Can we get Commissioner Ransom here or at the next meeting to tell us which one is correct because the report says 16 to 28% behind? Chairperson Shook stated that it would be productive if we do it in three-years. Councilmember Willis stated that we have to decide what parity means. We have to make a policy decision. He thinks that the Mayor is saying that parity is to compare the Department of Fire with other surrounding metro jurisdictions. Their position is that they are okay with either one because it is a higher salary.

Continuing, Councilmember Moore requested that the Department of Human Resources provide a report of how many hours the individual worked that is in the Linder Study and AON Study. Did they work 50 hours, etc? We need to know the difference. She then read a part of the Mayor's Letter stating that she wants to bring the Firefighters up to their pay standard before the end of her term. The Mayor recognizes that they are behind. The Council has supported to move them toward that goal. What happens is that the market keeps moving and compounds itself. The 3.5% that was approved is consistent with the issue that they are behind. This is a matter of priority and the commitment is there. Councilmember Maddox stated that he never heard of discussing a Vetoes piece of Legislation before a Committee meeting. Councilmember Willis asked the CFO what is the real percentage regarding closing the gap of the 98%. What is the Mayor's assumption? How much money would it take if we did it today or if we waited? CFO Davis responded that you are asking for the ultimate cost with or without the 3.5%. She stated that she will provide that information. Councilmember Moore stated that it is important to get a Budget schedule. She wants to know the schedule between now and the end of this term. When do you ask the Departments for their requests for the Budget? We need to know when to develop our priorities. CFO Davis responded that right now it is anticipated that Council will have its priorities established by February. The Budget will come to you in May that has to be approved in June. Councilmember Moore asked when is it developed. We did not get zero out of the \$16 million dollars. She is still waiting on her Budget line item for the \$16 million dollars. Chairperson Shook asked if we have two or three Budgets remaining. CFO Davis responded two. Councilmember Muller stated that it was good to change the Fiscal Year. We are now starting to think about the 2008 Budget. We want to anticipate more

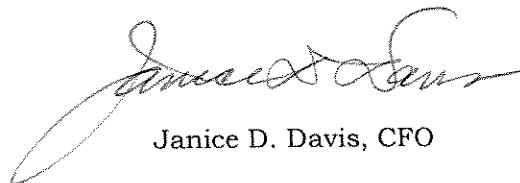
from the beginning. Her plea is to start getting priorities in place now for the 2008/2009 Budget.

Mr. Carey Duncan: addressed the Committee by stating that politics are viewed as boggling the mind. The Mayor's veto has a small chance of defeating the Council. It makes a statement that you are weak. When the Mayor says do it, you do it. The votes are not there to override the veto. What is the role of the Finance/Executive Committee? Is it to micro manage the Departments or set policies. You are getting tied up in the little details. The City is losing millions of dollars because the Departments are not functioning or doing their jobs. He feels for the Firefighters because the money is there, but you will not receive it. He then thanked the Committee for their time to speak.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Janice D. Davis', is written over a horizontal line.

Janice D. Davis, CFO

Charlene Parker
Recording Secretary

"The Department of Finance... because customer service is important to us."